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July 14, 2004

Clerk  
U.S. District Court for the District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

**Re: Mary Andrus, et al. v. Indevus Pharmaceuticals, Inc., et al.  
C.A. No. 04-10911-GAO**

Dear Sir/Madam:

In accordance with Judge O'Toole's order of July 13, 2004, arising out of a status conference on that day concerning the Massachusetts diet drug litigation, enclosed for filing in the above-referenced case is a proposed order designating *Andrus, et al. v. Indevus Pharmaceuticals, et al.*, 04-10911 as the common action in which to file all papers concerning diet drug product liability actions involving Indevus Pharmaceuticals.

A copy of this letter and the attached draft order have been sent to all counsel of record in all of the diet drug cases removed from Middlesex Superior Court to this Court.

Very truly yours,

William A. McCormack

/jjb

Enclosure

cc: All Plaintiffs' Counsel of Record  
Matthew J. Matule, Esq.  
(each w/Enclosure)

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bcc: Ingo Sprie, Esq. (Via Email)  
Daniel S. Pariser, Esq. (Via Email)  
Keith C. Buell, Esq. (Via Email)  
Janice W. Howe, Esq.  
David Yamin, Esq.  
(each w/Enclosure)